

Daniel F. Flores
 Kathleen A. Daly
 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP
 150 E. 42nd Street
 New York, NY 10017
 Telephone: (212) 490-3000
 Facsimile: (212) 490-3038

Attorneys for Plaintiff, Bank of America, N.A.

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

-----	X
BANK OF AMERICA, N.A.,	:
	:
Plaintiff,	: Case No.: 11 CV 4135 BSJ
	:
-against-	:
	:
KENT M. SWIG, ELIZABETH M. SWIG, THE	:
740 CORPORATION, and "JOHN DOE #1"	:
through "JOHN DOE #10," the last ten names	:
being fictitious and unknown to plaintiff, the	: ACKNOWLEDGMENT OF
persons or parties intended being the tenants,	: SERVICE AND WAIVER
occupants, persons or corporations, if any,	: OF SUMMONS
having or claiming an interest in or lien upon	:
the premises described in the Complaint,	:
	:
Defendants.	:
-----	X

The undersigned represents that he is authorized to accept service of process in the above-captioned matter on behalf of defendant Kent M. Swig, further acknowledges that the Verified Complaint, Civil Cover Sheet, Help for Homeowners in Foreclosure Notice, Rule 7.1 Statement, Chambers Rules for the Honorable Barbara S. Jones, U.S.D.J., Chambers Rules for the Honorable Debra Freeman, U.S.M.J., Electronic Case Filing Rules & Instructions for the Southern District of New York and a Summons for Kent M. Swig were served and accepted by

the undersigned, as counsel for defendant Kent M. Swig, on July 13, 2011, and hereby waives service of a Summons in this matter.

Dated: New York, New York
July 13, 2011

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LAW OFFICES OF THOMAS M. MULLANEY
Attorneys for Defendant Kent M. Swig

By: _____



Thomas M. Mullaney
275 Madison Avenue, 37th Floor
New York, New York 10016
212-223-0800
tmm@mullaw.org

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Bank of America, N.A.

Plaintiff

v.

Kent M. Swig, Elizabeth M. Swig, The 740
Corporation & "John Doe #1" through "John Doe #10"

Defendant

11 CIV 4135

Civil Action No. 11-cv-

SUMMONS IN A CIVIL ACTION

JUDGE JONES

To: *(Defendant's name and address)* Kent M. Swig
740 Park Avenue, Unit 2/3D
New York, New York 10021

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel F. Flores
Wilson, Elser, Moskowitz, Edelman & Dicker LLP
150 E 42nd Street
New York, New York 10017

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

JUN 17 2011

Date: _____

Signature of Clerk or Deputy Clerk

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Civil Action No. 11-cv-

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

NOTICE

YOU ARE IN DANGER OF LOSING YOUR HOME

If you do not respond to this summons and complaint by serving a copy of the answer on the attorney for the mortgage company who filed this foreclosure proceeding against you and filing the answer with the court, a default judgment may be entered and you can lose your home.

Speak to an attorney or go to the court where your case is pending for further information on how to answer the summons and protect your property.

Sending a payment to your mortgage company will not stop this foreclosure action.

YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT.